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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/785,518	02/20/2001	Peter Balogh	060258-0277121	5357
909 7590 09/07/2007 PILLSBURY WINTHROP SHAW PITTMAN, LLP Eric S. Cherry - Docketing Supervisor P.O. BOX 10500 MCLEAN, VA 22102			EXAMINER SHINGLES, KRISTIE D	
			ART UNIT 2141	PAPER NUMBER
			MAIL DATE 09/07/2007	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

## Office Action Summary

Application No.

09/785,518

Applicant(s)

BALOGH, PETER

Examiner

Kristie D. Shingles

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 20 June 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-3, 5, 7-10, 13-16 and 19-22 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-3, 5, 7-10, 13-16 and 19-22 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### **Response to Amendment**

No claims have been amended.

Claims 4, 6, 11, 12, 17 and 18 have been cancelled.

Claims 1-3, 5, 7-10, 13-16 and 19-22 are pending.

### **Response to Arguments**

I. Applicant's arguments with respect to claims 1, 8 and 14 have been considered but are moot in view of the new ground(s) of rejection.

### **Terminal Disclaimer**

II. The terminal disclaimer filed on 6/20/2007 disclaiming the terminal portion of any patent granted on this application, which would extend beyond the expiration date has been reviewed and is accepted. The terminal disclaimer has been recorded.

### **Claim Rejections - 35 USC § 102**

III. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this

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subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

**IV. Claims 1-3, 5, 7-10, 13-16 and 19-22 are rejected under 35 U.S.C. 102(e) as being anticipated by *Vazvan et al* (US 6,400,946).**

a. **Per claim 1**, *Vazvan et al* teach a method for accessing a wireless local area network in a telecommunications system, the system including at least one terminal and a plurality of networks, the method comprising:

- storing information sets describing settings used to access wireless local area networks and their associated resources (*col.4 lines 30-57, col.9 lines 17-33, col.11 lines 12-58—storing information used to access other wireless networks*);
- scanning for information related to names of available wireless local area networks using the terminal (*col.4 lines 54-60, col.5 lines 51-65, col.6 lines 40-59, col.8 lines 50-67—scanning for available networks*);
- determining available information sets by comparing the information related to names of available wireless local area networks to the stored information sets (*col.6 line 40-col.7 line 57—comparing the services and prices offered by the available networks*), and
- accessing at least one wireless local area network based on settings described in the available information set (*col.7 lines 33-55, col.8 lines 1-5, col.8 line 63-col.9 line 6*),
- wherein the storing stores network names of wireless local area networks associated with the stored information sets, the scanning sends network identity requests and searches for network identity responses, and the determining available information sets determines the available information sets by comparing the stored network names to the scanned information related to names of available wireless local area networks (*col.11 lines 12-58, col.14 lines 17-33*).

b. **Claims 8 and 14** contain limitations that are substantially equivalent to claim 1 and are therefore rejected under the same basis.

c. **Per claim 2, Vazvan et al** teach the method of claim 1, further comprising: informing a user of the terminal about the available information sets; receiving a user's selection of one of the available information sets; and accessing at least one network based on the settings described in the available information set selected by the user (*col.8 lines 1-5, col.8 line 63-col.9 line 6*).

d. **Claims 9 and 15** are substantially similar to claim 2 and are therefore rejected under the same basis.

e. **Per claim 3, Vazvan et al** teach the method of claim 1, wherein the stored information sets are stored separately for each network on a smart card (*col.9 lines 37-40, col.10 lines 10-12*).

f. **Claims 10 and 16** are substantially similar to claim 3 and are therefore rejected under the same basis.

g. **Per claim 5, Vazvan et al** teach the method of claim 1 further comprising: storing network identifiers representing a group of network names using wildcard characters in the stored information sets; and determining the available information sets by comparing the stored network identifiers to the scanned information related to names of available wireless local area networks (*col.4 lines 54-60, col.5 lines 51-65, col.6 lines 40-59, col.8 lines 50-67*).

h. **Per claim 7, Vazvan et al** teach the method of claim 1, wherein the stored information sets comprise channel settings indicating whether at least one of (i) a used radio channel is automatically or manually selected; and (ii) whether the stored information sets comprise operation mode settings indicating whether a used operation mode is an ad-hoc mode or an infrastructure mode (*col.6 line 56-col.7 line 24*).

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i. **Claims 13 and 19** are substantially similar to claim 7 and are therefore rejected under the same basis.

j. **Per claim 20**, *Vazvan et al* teach the method of claim 1, wherein the information set comprises at least one of the following: DHCP (Dynamic Host Control Protocol) settings, TCP/IP (Transport Control Protocol/Internet Protocol) settings, Proxy settings, or domain logon and work-group settings (*col.4 lines 27-60, col.7 lines 25-48, col.8 line 53-col.9 line 6*).

k. **Claims 21 and 22** substantially similar to claim 20 and are therefore rejected under the same basis.

#### Conclusion

V. The prior art made of record and not relied upon is considered pertinent to Applicant's disclosure: Muhonen (6751472), Alperovich et al (6728215), Chiou et al (6473413), Erlick et al (6614769).

VI. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kristie D. Shingles whose telephone number is 571-272-3888. The examiner can normally be reached on Monday 8:00am-5:30pm.

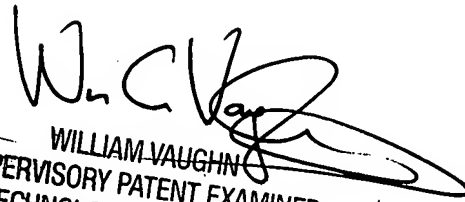
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rupal Dharia can be reached on 571-272-3880. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

*Kristie D. Shingles*  
*Examiner*  
*Art Unit 2141*

*kds*

  
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